

Advanced Photon Source

PROCEDURE	Page 1 of 40
Procedure #:	3.1.101
Revision #:	0
Issue Date:	6/1/08
Review Period:	2 years
Last Reviewed:	5/20/08

APS User Administrative Policies and Procedures

Prepared by: S. Davey (APS-AES), D. Kinzler (APS-XSD), S. Strasser (APS-XSD)

Approvals: approval records in the APS Document Management System

Changes: (20 May 2008)

The policy collects existing administrative policies covering Argonne site access, registration, user agreements, user accounts, scientific access, and identification of proprietary beamtime.

The procedures are a collection of existing administrative procedures related to the policy topics listed above and the additional topics of evaluating beamtime use and reporting publications to the APS. Introduction added.

This collected reference supersedes the individual policies and procedures.

A summary of detailed changes is available through the APS Document Management System (ICMS).

Table of Contents

APS User Administrative Policies	3
Introduction.....	3
Purpose.....	3
Scope.....	3
Applicability	4
Access to Argonne	4
User Agreements.....	4
User Accounts.....	5
Policy for Establishing and Maintaining Nonproprietary APS User Accounts.....	5
Policy for Establishing and Maintaining Proprietary APS User Accounts.....	6
Policy on Scientific User Access	7
Identification of Proprietary Beam Time.....	9
Policy on Reporting Publications to the APS	10
APS User Administrative Procedures.....	11
User Registration	11
Information for Non-U.S. Citizens	11
Procedures for Access as a Partner User.....	13
Summary	13
Submission of Letters of Intent and Short Proposals.....	13
Procedure for Access as a General User	16
Procedure for Establishing and Maintaining Nonproprietary APS User Accounts	27
Procedure for Establishing and Maintaining Proprietary APS User Accounts.....	30
Procedure for Identification of Proprietary Beam Time	33
Evaluation of Beam Time Used for Proprietary, Classified, and Non-Academic-Non-Proprietary Research.....	36
Procedure for Reporting Publications to the APS.....	38
Visitors Site Access	40

PROCEDURE	Page 3 of 40
Procedure #:	3.1.101
Revision #:	0

APS User Administrative Policies

Introduction

The point of contact for changes to the User Administration section of APS User Policies and Procedures (UP&P) is the APS User Administration and Support Group Leader. Changes can be made in response to suggestions from any stake holder in user activities. Every user of a User Policy or Procedure is to notify the owner of any errors/corrections and is encouraged to suggest potential improvements.

Modifications of UP&Ps shall be managed according to [Managing APS Facility Procedures](#) (AP&P 3.1.05, APS document number APS_1001409). The policy and procedure owners will work with the APS Procedure Administrators to keep UP&P current in the APS electronic document system (ICMS).

The current revisions of any UP&P will be available through ICMS; anyone using a UP&P should ensure that they are using the current version.

Purpose

APS User Administrative Policies and Procedures seek to define efficient and effective user access/registration and business-related processes.

Scope

The following policies and procedures define the administrative aspects of user life at the APS:

- User registration
- User agreements
- Access to the Argonne site
- Modes of getting beamtime
- Reporting publications
- Visitor access

Policies and procedure for the following topics are not included here and are defined elsewhere in other APS Policies and Procedures (AP&P):

- [User Safety \(AP&P 3.1.102\)](#)
- [User Training \(AP&P 3.1.103\)](#)
- [Beamline Operations \(AP&P 3.1.104\)](#)

PROCEDURE	Page 4 of 40
Procedure #:	3.1.101
Revision #:	0

Applicability

APS User Administration Policies and Procedures apply to the activities of beamline personnel, experimenters, and other support personnel using CAT/CDT/XOR beamlines and associated facilities (e.g., LOM labs). These apply to users that are not Argonne employees as well as Argonne employees.

Access to Argonne

Argonne National Laboratory is a controlled-access facility. You may be granted access as either an Argonne employee, a registered user, or a visitor. If you are coming to the APS as a new user you should not come to Argonne until you have received confirmation from the User Office that permission has been granted for your visit.

Scope

Before you can begin any hands-on work at the APS as an APS user you must:

- 1) complete the registration process,
- 2) have an executed User Agreement between UChicago Argonne, LLC and your home institution (i.e., your employer or university) and
- 3) complete required training.

User Agreements

If you are not an employee of Argonne, a User Agreement signed by your home institution is a prerequisite for hands-on work at the APS. User Agreements are approved by someone with contracting authority for the institution and define rights and responsibilities in areas such as intellectual property rights and liability.

A list of institutions with User Agreements is available through the APS web pages. All listed Agreements are nonproprietary unless otherwise noted.

If your institution is not listed (or if your institution is listed but a unit or department or employment category other than your own is specified), you must complete an on-line APS User Agreement Questionnaire, which is the first step toward putting a User Agreement in place.

No user hands-on work is allowed until the User Agreement is signed.

PROCEDURE	Page 5 of 40
Procedure #:	3.1.101
Revision #:	0

User Accounts

Each APS user institution (or the CAT as a whole, if it has organized itself as a single financial entity) must have a valid APS User Account to initiate requests to the APS for reimbursable items and services (e.g., stock room purchases, trade/craft services, etc.).

Accounts fall into two general categories: nonproprietary (data/results intended for publication) and proprietary (technical data that embody trade secrets developed at private expense). These are more specifically defined in the following User Account policies and procedures.

Policy for Establishing and Maintaining Nonproprietary APS User Accounts

(Formerly part of AP&P 3.1.23, APS document number APS_1186766)

(Note: for information on the process for establishing accounts to cover charges associated with proprietary research at the APS, see the Procedure for Establishing and Maintaining Proprietary APS User Accounts.)

1. Each APS User institution (or the CAT as a whole, if it has organized itself as a single financial entity) must have a valid APS User Account number to initiate requests to the APS for reimbursable items and services. Listed below are some examples of reimbursables:
 - Beamline components purchased through or fabricated by the APS on behalf of a CAT for installation outside the shield wall.
 - Stockroom purchases.
 - Telephone service.
 - Trade/craft work by ANL employees or ANL subcontractors.
 - Employees hired by the APS and assigned to a CAT to perform scientific or technical work for the CAT.
 - LOM charges (i.e., building/utility/custodial charges associated with occupancy of APS Laboratory/Office Modules)
2. The U.S. Department of Energy (DOE) requires advance payment from APS users for some types of reimbursables, e.g., capital equipment and capital construction, except as noted in the next paragraph. (“Capital equipment” means equipment items having a unit price of \$50,000 or more and a useful life of two years or more.)
3. Advance payment is not required if the APS User institution making the purchase is using DOE funds.

PROCEDURE	Page 6 of 40
Procedure #:	3.1.101
Revision #:	0

Policy for Establishing and Maintaining Proprietary APS User Accounts

(Formerly part of AP&P 3.1.24, APS document number APS_1186767)

Definitions

Proprietary work: Work done with the intention to designate the results as proprietary data.

Proprietary data [definition from Attachment A, paragraph 3(a)(2), of all APS Proprietary User Agreements]: Technical data which embody trade secrets developed at private expense, such as design procedures or techniques, chemical composition of materials, or manufacturing methods, processes, or treatments, including minor modifications thereof, provided that such data:

- are not generally known or available from other sources without obligation concerning their confidentiality;
- have not been made available by the owner to others without obligation concerning their confidentiality; and
- are not already available to the Government without obligation concerning their confidentiality.

Proprietary sample: A sample that is the subject of proprietary work.

Proprietary beam time: All time used by an APS user (defined as either an individual or a collaborating group) during which the following conditions apply:

- the APS is delivering user beam; and
- the user is using an APS experiment station for any activity (e.g., experimental set-up or data collection) that is a part of proprietary work.

Policy

1. Each APS User institution (“User”) that wishes to use APS beam time for proprietary work must first execute a Proprietary [User Agreement](#) with the APS and establish a Proprietary APS User Account.
2. In accordance with the requirements imposed by the U.S. Department of Energy, each Proprietary Account must be pre-funded at a level that covers at least three months’ worth of anticipated proprietary beam time at the provisional full-cost-recovery rate that is currently in effect. The unit of beam time for charging purposes is one hour. In addition, if all of the User’s work at the APS is to be proprietary, the pre-funded amount must include the estimated total cost (including overheads) of materials, supplies, and services that the User expects to purchase from the APS for use during the period of proprietary work.

PROCEDURE	Page 7 of 40
Procedure #:	3.1.101
Revision #:	0

Policy on Scientific User Access

(Formerly AP&P 3.1.17, APS document number APS_1001596)

Summary:

This policy provides a concise overview of the current processes through which an individual obtains beam time at the Advanced Photon Source. The principle underlying all four processes is scientific peer review that is fair, clear, expedient, and sensitive to the needs of users. The first two processes (access as members of Collaborative Access Teams or APS staff) rely on initial peer review of the group, internal peer review of individual projects, and triennial peer review by the APS Scientific Advisory Committee (SAC). General User access requires peer review of research proposals through a central APS-managed review process for each run cycle. For those proposals that cannot be accommodated through the standard General User proposal system, Project Proposals and Partner User Proposals will be considered. Since these latter two proposal types are granted beam time over more than one run cycle, they require additional scrutiny by a SAC subcommittee and APS management.

Access Modes:

Collaborative Access Team member access: On beamlines funded and operated by Collaborative Access Teams (CATs), an agreement signed with each CAT provides CAT members with access to up to 75% of the available beam time; the CAT is then required to support General Users (who are selected through the process described below) for the remaining 25% or more of the time. Assessment of the effectiveness of CAT allocation processes is provided by Sector Review Panels/Cross Cut Review Panels, which evaluate the performance of each sector at least once every three years. The panels consist of external scientific peers and function under the auspices of the APS SAC.

APS staff access: On beamlines operated by the APS, 20% of the beam time is made available to the X-ray Operations and Research (XOR) staff for maintenance, upgrades, and discretionary scientific research. The remaining 80% of the time on these beamlines is awarded through the General User or Partner User programs. The effectiveness of beam time usage by an XOR staff is assessed regularly by APS management and by the APS SAC.

General User access: Access for General Users is awarded under the APS General User Program (GUP), which is a centralized, APS-managed, Web-based peer review proposal process. Prospective General Users submit proposals that are reviewed and rated by one of several Proposal Review Panels (PRPs) composed of scientific peers, primarily external to the APS staff. The PRPs review new proposals before each cycle to develop consensus ratings and

PROCEDURE	Page 8 of 40
Procedure #:	3.1.101
Revision #:	0

comments. Proposals are then allocated beam time by one of two APS Beam time Allocation Committees (BACs): one for Macromolecular Crystallography and one for all other science. Proposals are active for up to a two-year period.

Criteria for the evaluation of General User proposals are essentially those used by the International Union of Pure and Applied Physics. These are (1) scientific merit, (2) technical feasibility, (3) capabilities of the experimental group, and (4) availability of the required resources (personnel, equipment, samples, etc.).

Project Proposal access: A limited number of General User proposals may justify reliable, predictable access over several cycles (up to two years) on a specific beamline (or several beamlines). These proposals are candidates for project status, under which a fixed amount of beam time is allocated in advance for more than one cycle. A proposal requesting project status must specify the specific beamline or beamlines where the work will be performed and justify the need for that location. The proposer must also justify why the goals of the proposal cannot be achieved effectively or efficiently under a standard General User proposal (e.g., the level of investment, such as effort or setup time, to perform the experiment is so large that it can only be justified if regular or fixed access over several run cycles can be assured, etc.).

Candidate project proposals will be evaluated by the appropriate PRP, then receive additional scrutiny by the subcommittee of the SAC that reviews Partner User proposals (see below). The SAC subcommittee will use the following to determine if the proposal should be granted project status: (1) PRP rating, (2) supplemental information provided by the PI, and (3) input from the sector management of the requested beamline(s). APS management makes final decisions on project status. Each beamline has a cap on the total time that can be assigned to project proposals.

Partner User access: If researchers require guaranteed beam time that cannot be obtained through the General User Program and if the proposed research will ultimately benefit the General User community (e.g., by providing new instrumentation or capabilities that will be available to General Users or by expanding the APS user community), they can apply to become Partner Users on any beamline operated by the APS. Partner User proposals are peer-reviewed by the appropriate PRP and receive further scrutiny by a subcommittee of the APS SAC (the same subcommittee that reviews Project Proposals). The criteria for evaluation of Partner User proposals are (1) PRP rating, (2) positive impact of the partnership on General Users, and (3) input from the sector management of the requested beamline(s). APS management makes the final decisions on the appointment of Partner Users. Prospective Partner Users can compete for up to 30% of the total available user time for up to three years by submitting proposals on those APS-operated beamlines that provide 80% of their beam time to General User program.

PROCEDURE	Page 9 of 40
Procedure #:	3.1.101
Revision #:	0

Further information on each of these access modes is found in the appropriate procedures.

Identification of Proprietary Beam Time

(Formerly part of AP&P 3.1.02, APS document number APS_1001655)

Summary: This policy describes how proprietary beam time use is tracked at the Advanced Photon Source.

Beam time at the APS falls into two categories: proprietary and nonproprietary. In exchange for the use of the APS, the *technical data* derived from results of experiments are, in general, expected to become part of the public domain and with certain rights to the data (as defined in an institution's APS User Agreement) reserved by the U.S. government. If an institution has executed a proprietary APS User Agreement and pays for the beam time, researchers may keep certain intellectual property rights to "*proprietary data*" (see definitions in the Procedure for Establishing and Maintaining Proprietary APS User Accounts) resulting from work performed at the APS.

If an experimenter seeks to keep the proprietary rights to data resulting from work performed at the APS, then prior to the start of the experiment, the experimenter must declare the beam time to be proprietary as part of the proposal/safety assessment process.

The APS will charge a proprietary user fee if 1) the user is using an APS beamline facility for any activity (such as experiment setup, mounting and aligning samples, screening samples, and data collection) that is part of the work that is, or is intended to be, proprietary, and 2) the APS is delivering user beam.

Proprietary time is charged by the hour, and an experimenter must compensate the APS at a predetermined hourly rate (current rates available from the APS User Account Specialist) from an appropriate prefunded User Account. Any fractions of an hour will be charged as a full hour.

As part of the APS experiment proposal/safety review process, an Experiment Authorization (EA) form is generated. Each EA will be identified for either proprietary or nonproprietary beam time. An EA for proprietary beam time is valid for a maximum of one week. If the proprietary beam time extends beyond one calendar week, a new EA must be generated, approved, and posted.

The APS will use the posting of the proprietary EA form to provide a basis for tracking the proprietary beam time. At the start of the beam time, the experimenter notifies the Floor Coordinator (FC), the approved EA is posted in the cabinet at the end of the beamline, and the FC logs the start time. At the end

PROCEDURE	Page 10 of 40
Procedure #:	3.1.101
Revision #:	0

of the beam time, the experimenter again notifies the FC, the EA is removed, and the FC logs the time. The time that the EA is posted will be designated as *proprietary beam time*. After the EA is removed, an e-mail notice of the recorded proprietary beam time is forwarded to the User Account Specialist and a user spokesperson.

General Users:

Each proposal for General User beam time will be for either proprietary or nonproprietary beam time-but not both. All beam time assigned under a proprietary proposal will be charged unless the storage ring or beamline is not available to the user. A spokesperson for the experiment has two business days after the receipt of the e-mail record of proprietary beam time to request that the APS amend its use records for either of the above mentioned reasons. The request is made via e-mail to the User Account Specialist (useracct@aps.anl.gov) and must provide the basis for the request.

Partner Users:

If a portion of the time that a proprietary EA is posted is not used for proprietary work (e.g., if the storage ring or beamline is down for an extended period of time **or** if a portion of the time was used for nonproprietary work), a spokesperson for the experiment has two business days after the receipt of the e-mail record of proprietary beam time to request that the APS amend its use records to reflect the actual amount of proprietary beam time. The request is made via e-mail to the User Account Specialist (useracct@aps.anl.gov) and must provide the basis for the request.

Policy on Reporting Publications to the APS

The APS Publications Database (<http://www.aps.anl.gov/News/Publications/>) is the official record of publications derived from research at, or produced by employees of, the APS. It is the official source for lists of APS-related publications provided to the APS Scientific Advisory Committee and other review panels, the U.S. Department of Energy, and other government and funding agencies. In addition, proposals for beam time at the APS could be evaluated on the basis of publications in this database.

PROCEDURE	Page 11 of 40
Procedure #:	3.1.101
Revision #:	0

APS User Administrative Procedures

User Registration

Registration begins the administrative steps required for a prospective user to gain approval to enter the Argonne site and to do hands-on work at the APS.

Each person coming to the APS as a user must register individually. The registration is web-based, managed by the APS User Office, and is available through the APS web pages. After the prospective user has submitted the completed registration form the User Office will:

- Notify the user of his/her badge number (which is needed for submitting a General User proposal).
- Begin the approval process for non-U.S. citizens (Argonne 593 form, indices check, etc.).
- Begin the process of establishing a User Agreement between a user's institution and the APS, if an existing agreement does not apply.
- Identify required training.
- Arrange for a visitor's pass for the user's arrival day.
- Issue a badge, to the user after training has been successfully completed.

Non-U.S. citizens must register as early as possible. Citizens of sensitive countries or employees of companies located in sensitive countries must register at least 12 weeks in advance of expected arrival.

Information for Non-U.S. Citizens

Special considerations for visitors and users who are not U.S. citizens, especially the extra time needed for processing requests for site access.

U.S. Department of Energy (DOE) requirements for non-U.S. citizens.
(Information last updated on 10/1/2003.)

PROCEDURE	Page 12 of 40
Procedure #:	3.1.101
Revision #:	0

Non-U.S. Citizens <i>not</i> from sensitive countries	Non-U.S. Citizens who are citizens of, born in, or whose employers are located in sensitive countries
Must have a form ANL-593 completed and approved prior to arrival. This form is automatically completed and submitted by the user facility when you register for facility access . At least two weeks are required for approval.	Must have a form ANL-593 completed and approved prior to arrival. This form is automatically completed and submitted by the user facility when you register . ADDITIONALLY , an indices check must be completed before you will be allowed access to the Argonne National Laboratory site. The user facility requests this check for you automatically; you do not need to take any action beyond the submission of your registration form.

About Indices Checks

Effective Friday, April 14, 2000, all non-U.S. citizens who are citizens of, born in, or whose employers are located in sensitive countries **MUST** have an indices check completed before they will be permitted to enter the Argonne site. This approval process generally takes a minimum of 6-12 weeks to complete. Any non-U.S. citizen from a sensitive country who plans to work at one or more of the Argonne National Laboratory user facilities must register at least 12 weeks in advance. The facility user office will notify the user as soon as access has been approved. In addition, the user office sends update requests to users approximately 6 to 8 weeks prior to the badge expiration. It is incumbent on the user to enter the requested update in a timely fashion to ensure uninterrupted access. Please note that these same requirements also apply to any visitors from sensitive countries coming to the APS. Please contact the appropriate facility user office for help with completing the appropriate paperwork for your potential visitors. (APS User Office telephone number: 630.252.9090)

PROCEDURE	Page 13 of 40
Procedure #:	3.1.101
Revision #:	0

Procedures for Access as a Partner User

(Formerly AP&P 3.1.04, APS document number APS_1186038)

Summary

Depending on the scope of the proposed partnership, a prospective Partner User (PU) submits a Letter of Intent (LOI) or a short proposal to the APS. This LOI or short proposal is reviewed electronically by a committee consisting of the APS Director or designee, three members of the Scientific Advisory Committee (SAC) for the APS, as well as the Chairs of the SAC and the APS Users Organization, or their designees, who serve in an *ex officio* capacity.

For partnerships of limited scope where all resources are in hand, a short proposal should be submitted. Feasibility information will be sought by the APS from the beamline operations management. Review of this proposal by the screening committee will result in one of three outcomes: recommendation for immediate approval, recommendation for further review by an APS-appointed committee, or rejection.

For more comprehensive partnerships (intermediate and extensive scope), up to and including the formation of a CAT to develop and operate a full sector, an LOI should be submitted to the Screening Committee, which may recommend additional steps including scientific peer reviews of the proposal, review of a Conceptual Design Report (CDR) by the APS Construction/Commissioning Review Panel (CCRP), management and safety plan reviews by APS-appointed committees, documentation of funding commitments, and an oral presentation to the full APS SAC. (*See Guidelines and Forms for Proposals to Establish Collaborative Access Teams at the APS*, May 1999.)

Submission of Letters of Intent and Short Proposals

1. LOIs or short proposals can be sent to the APS User Office, Bldg. 401, Argonne National Laboratory, 9700 So. Cass Ave., Argonne, Illinois 60439 at any time or sent electronically to the User Office (loi@aps.anl.gov).

Although there is no formal deadline, an LOI proposing the formation of a partnership of intermediate or extensive scope (such as the development of a beamline or the formation of a CAT) should be submitted by October 1 of a calendar year to ensure consideration by the full SAC at its next annual January/February meeting. Short proposals for partnerships of more limited scope should be submitted by the [General User proposal deadlines](#).

2. LOIs and short proposals must contain, at a minimum, the items listed below. The total length of these documents should not exceed 10 pages.
 - o Title of the proposed partnership.

PROCEDURE	Page 14 of 40
Procedure #:	3.1.101
Revision #:	0

- Name and contact information (name, title, affiliation, address, telephone and fax numbers, and e-mail address) for the Principal Investigator/CAT Director.
- Names and affiliations of additional major partners, accompanied by brief descriptions of their relevant scientific and technical experience.
- Scientific impact/justification for the proposed partnership (approximately 5 pages). This section should form the major thrust of the LOI and clearly describe how the scientific community and the APS will benefit. Also describe the relationship to existing facilities at the APS and the amplification and or enhancement of these facilities.
- Description of partnership arrangement. Describe the proposed instrument, capability, research program, or contribution to the APS. Indicate and justify which sector or beamline will be involved, as well as the amount of time required on the sector/beamline. Clearly outline the contributions to be made by the Partner User and the expectations for APS contributions. Indicate which Partner User team members will carry out each program element. Include supporting letters for contributions from proposed partners. (Note: If an APS staff member is one of the partners, a supporting letter from that partner's Division Director is required.)
- Preliminary budget and proposed source(s) of funding for capital items, fabrication, assembly, and operations. Assess the likelihood of obtaining the funds. (For limited-scope partnership proposals, it is assumed that funds are committed or available.)

Review of Letters of Intent and Short Proposals:

All LOIs and short proposals will be reviewed by the LOI screening committee, which will determine which of the following review processes will be followed (reviews differ on the basis of the scope of the partnership):

1. For partnerships of limited scope, the committee may recommend approval of the short proposal with no further review, review by an APS-appointed committee, or rejection. The final decision will be made by the ALD/APS.
2. If the partnership is of intermediate scope, it may be referred to the ALD/APS for further review and decision or for further review and presentation to the SAC.
 - The ALD/APS will appoint a specific ad hoc committee consisting of APS staff members and/or external scientists with appropriate scientific/technical skills to conduct the review.
 - Results from this review will be presented either to the APS/ALD for decision or to the SAC for recommendation, depending on the original advice from the screening committee. The final decision will be made by the ALD/APS.
3. LOIs proposing partnerships of extensive scope, up to and including the establishment of a CAT will require additional reviews and a presentation to the SAC. The LOI Screening Committee will define specifically which reviews are needed. LOIs proposing partnerships of the Collaborative Access

PROCEDURE	Page 15 of 40
Procedure #:	3.1.101
Revision #:	0

- Team (CAT) type (construction, funding, and operation of a full sector with 75% of the time reserved for CAT members) will be reviewed according to the process defined in Guidelines and Forms for Proposals to Establish Collaborative Access Teams at the Advanced Photon Source.
4. The LOI Screening Committee (as well as any ad hoc review committees) will use the following criteria for evaluation of partnership LOIs and proposals:
 - Scientific merit
 - Technical feasibility
 - Capabilities of the experimental group
 - Availability of required resources

In addition, the review will specifically address the value of the potential impact to the facility, as well as the appropriateness of the amount of requested beam time.

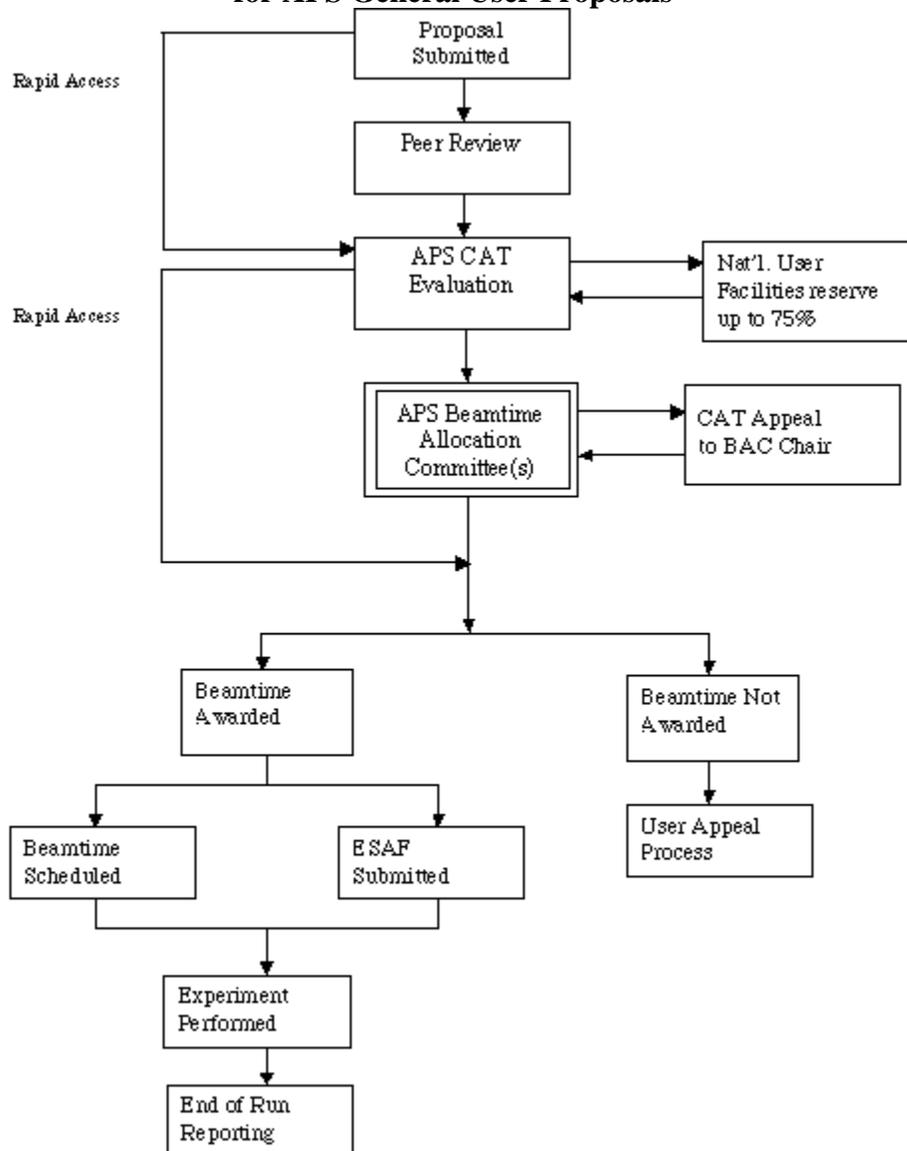
Examples of Partner User Arrangements:

- Partnerships of limited scope where the proposer needs no more than 15% of the beam time on a given sector or beamline for the development of a process or instrument.
- Partnerships of limited scope where the proposer plans to develop a new user community and needs reliable access to beam time for at least two years.
- A Collaborative Access Team (CAT): A special type of extensive-scope Partner User arrangement. In this model, typically several individuals or institutions join to form the CAT, which is considered in the context of this policy as a single Partner User. A CAT assumes full responsibility for design, funding, construction, and operation of a sector. A CAT is allocated no more than 75% of the beam time and must support General Users for the remaining 25% of the operating beam time.

Procedure for Access as a General User

(Formerly AP&P 3.1.09, APS document number APS_1187402, reorganized 2 June 2008)

Figure 1. Submission, Review, and Allocation Process for APS General User Proposals



PROCEDURE	Page 17 of 40
Procedure #:	3.1.101
Revision #:	0

1 Definitions

Beamline: All instrumentation and facilities that extend from the source in the storage ring to an experiment station.

Beam Time Allocation Committees (BACs): Committees that determine which beamline will host each general user proposal and how much time each proposal will receive.

Beam time request form (BTR): Form used to request beam time both when the proposal is initially submitted and for subsequent cycles as long as the proposal is active.

General user: An investigator who applies for beam time through the APS peer-review proposal process for general users.

General user (beam) time: Time made available to general users on an APS experiment station/beamline. All general user beam time is allocated through the APS general user proposal process.

Primary reviewer: Member of a Proposal Review Panel who is assigned to lead the discussion of a given proposal.

Project status: A limited number of general user proposals may justify reliable, predictable access over several cycles (up to two years) on a specific beamline (or several beamlines). These proposals are candidates for project status, under which a fixed amount of beam time is allocated in advance for more than one cycle. A proposal requesting project status must specify the specific beamline or beamlines where the work will be performed and justify the need for that location. The proposer must also justify why the goals of the proposal cannot be achieved effectively or efficiently under a standard general user proposal (e.g., the level of investment, such as effort or setup time, to perform the experiment is so large that it can only be justified if regular or fixed access over several run cycles, can be assured).

Proposal spokesperson: Person identified on the proposal submission form as the primary point of contact.

Proposal Review Panels (PRPs): Peer-review groups, organized by technique or scientific discipline, that evaluate the scientific merit and technical feasibility of proposals and provide a rating for each.

Rapid access: The rapid access process provides an option for short-turnaround assignment of beam time for urgent needs that arise between the formal review and allocation cycles.

PROCEDURE	Page 18 of 40
Procedure #:	3.1.101
Revision #:	0

2 General User Proposals

2.1 Submission

In general, proposals are solicited three times a year, about two months before each run. The APS web-based proposal submission and tracking system is used throughout the proposal process, from proposal preparation to beam time allocation. The prospective investigator uses the web form to provide detailed information on the experiment (including the specific beamline required, as appropriate) and the research personnel. The system provides access to individual beamline web pages and to a listing of the techniques and equipment available to general users at each beamline.

Proposers can request up to three specific beamlines, or they may indicate that any appropriate beamline is acceptable. For proposals in areas other than macromolecular crystallography, at least one beamline must be identified as a potential host. For beamlines operated by the APS through the X-ray Operations and Research Section, users must also specify the instrument or capability needed. The proposal submission form includes a listing of techniques and capabilities, and the system provides links to individual beamline web pages and the *APS Beamline Directory*.

A single proposal form is used for all general user experiments. This form requests basic information required by the APS about the proposers, the subject of the proposed research, agencies funding the research, beamline(s) of interest, and an abstract. Additional or different information is requested depending on whether the proposal is for macromolecular crystallography or all other science.

All submitted proposals go simultaneously to the requested beamlines, the Proposal Review Panels, and the APS User Office.

2.2 Review

Peer reviewers evaluate the scientific merit and technical feasibility of each proposal and assign a numerical rating. The ratings are defined in [Table 1](#). Reviewers are strongly encouraged to provide comments as well. Different review processes are used for macromolecular crystallography and all other science.

2.2.1 Macromolecular Crystallography

Each macromolecular crystallography proposal goes directly to two reviewers selected by the APS User Office by matching proposal content and reviewer

expertise. Proposals are sent electronically to reviewers, who are asked to return their reviews electronically within one week. If a particular review is not received by that deadline, the proposal is sent to another reviewer. If the scores received differ by more than 1.0, the Macromolecular Crystallography PRP will review the proposal and provide a final score. For each evaluation cycle, the APS User Office provides a list of proposals and their scores to the BAC.

2.2.2 All Other Science

In all other areas, proposal review is handled by Proposal Review Panels (PRPs). Panels may be constituted in several technical or scientific areas to meet the requirements for competent scientific review of all general user proposals. If necessary, *ad hoc* reviews may supplement the review provided by a particular panel.

Each panel consists of at least four persons appointed by the ALD/APS for two-year terms, renewable by mutual consent. The ALD/APS also appoints the Review Panel Chairs. The APS User Organization Steering Committee (APSUO) and CAT Directors provide candidates for consideration by the ALD/APS.

Each PRP meets once before each user run. For each proposal, the Review Panel Chair assigns two primary reviewers, who must read the assigned proposal and be prepared to lead discussion regarding its content. All reviewers are expected to be somewhat familiar with all proposals and are expected to contribute to discussions of the proposal. At the meeting, the panel reaches a consensus evaluation of each proposal under consideration and assigns a score. Review criteria are available on the APS general user web page.

The user identifies an appropriate Proposal Review Panel on the proposal submission form. For each proposal, the Review Panel Chair determines that the proposal is, in fact, appropriate for the panel and assigns a primary reviewer. For each evaluation cycle, all PRPs meet at the APS shortly after the submission deadline. Working from the definitions given in [Table 1](#), each PRP establishes a consensus score (to two significant digits) for each proposal assigned to it. The PRP also sets a maximum amount of beam time that each proposal should be allocated during its lifetime. This limit serves as a guide to the BAC when beam time awards are made. For each evaluation cycle, the APS User Office provides a list of proposals and their consensus scores to the BAC.

2.2.3 Project Status

Candidate project proposals will be evaluated by the appropriate PRP, then receive additional scrutiny by the subcommittee of the Scientific Advisory Committee (SAC) that reviews partner user proposals. The SAC subcommittee will use the following criteria to determine whether a proposal should be granted

PROCEDURE	Page 20 of 40
Procedure #:	3.1.101
Revision #:	0

project status: (1) PRP rating, (2) supplemental information provided by the principal investigator on the proposal (in the Questions section), and (3) input from the management of the requested beamline(s). APS management makes the final decisions on project status.

The User Office coordinates review of project status requests with the relevant PRP (selected by the proposer) and with the SAC subcommittee for partner user proposals.

1 - Extraordinary	The proposal involves highly innovative research of great scientific importance. Proposed research will significantly advance knowledge in a specific field or scientific discipline. Considerable societal relevance is demonstrated. The radiation characteristics of the APS are highly desirable for the success of the proposed work.
2 - Excellent	The proposed research is of high quality and has potential for making an important contribution to a specific field or scientific discipline. The work is cutting edge and is likely to be published in a leading scientific journal. The radiation characteristics of the APS are important to the success of the proposed work.
3 - Good	The proposed research is near cutting-edge and likely to produce publishable results. Impact on a specific field or scientific discipline is likely. Synchrotron radiation is essential to accomplish the intended goals of the research. The proposed work will greatly benefit from access to the APS.
4 - Fair	The proposed research is interesting but may not significantly impact a specific field or scientific discipline. Publication may or may not result from this research. Synchrotron radiation is required, but the proposed work could be performed at other facilities.
5 - Poor	The proposed research is not well planned or is not feasible. Results would not make important contributions to fundamental or applied understanding, and work is not likely to result in publication. The need for synchrotron radiation is not clear.

2.3 Beamline Evaluation

Each beamline identified as a potential host for a general user proposal will determine the suitability of its facilities for the proposed experiment. Each prospective beamline may also provide any other information that may have

PROCEDURE	Page 22 of 40
Procedure #:	3.1.101
Revision #:	0

bearing on the decision on whether to award beam time. This input may include (but is not limited to) environment, safety, and health issues; the past performance of an investigator; specific outreach on the part of the beamline; or a unique suitability of the sector or beamline facilities to accommodate the general user proposal.

Prior to the meeting of the BAC, the beamlines designated as national user facilities select beam time requests for beam time award and forward their decisions to the APS User Office for use by the BAC.

2.4 Beam Time Awards

The reviewers' scores and comments and comments from the beamlines are provided to a Beam Time Allocation Committee (BAC). Currently there are two BACs, one for macromolecular crystallography and one for all other science. Members of the BACs are appointed by the ALD/APS for a term of two years, renewable by mutual consent. The Directors of all operational CATs provide candidates for consideration by the ALD/APS.

The BACs meet once before each user run to determine which proposals will receive beam time and where. However, the allocation process differs for proposals that request a national user facility as a first choice and for new proposals that request rapid access during the submission cycle.

The APS User Office determines the number of shifts each beamline is obligated to provide to general users for each scheduling period on the basis of available user shifts, percentage GUP obligation for that beamline, and other beamline commitments (e.g., partner user proposals or general user proposals with project status). The APS authorizes the portion of general user time that a beamline may award as rapid access.

Shortly after the all review scores have been determined and beamlines have provided input, the two BACs (macromolecular crystallography and non-MC or all other science) allocate beam time. The non-MC BAC meets, reviews the electronic autoallocation process, adjusting the allocations as appropriate on the basis of demand, instrument choice, and beamline feasibility assessments. The MC BAC members review the autoallocations electronically, confer electronically as needed, and the MC BAC Chair makes any needed adjustments.

Immediately following the BAC meeting (and before the general users are notified), the beamlines are notified by the APS User Office of the beam time awards on their facilities. Should the beamline strongly disagree with the decision of the BAC (e.g., if the proposed experiment is not technically feasible on the beamline), the beamline coordinator may appeal to the chair of the BAC. This

appeal must be made within two working days. In these cases, the BAC Chair is authorized to act on behalf of the BAC to resolve the appeal.

Once the BAC awards beam time, the beamline is responsible for scheduling the general user experiment and informing the APS User Office of the dates. Beamlines should make every effort to schedule awarded general user proposals in the next run. However, if no suitable time can be agreed upon with the general user, the beamline may schedule a general user in the following run. Upon mutual agreement between the beamline and the general user, awarded time may be scheduled at a later time.

For rapid-access beam time requests, a beamline may choose to award beam time at any time after the proposal is submitted. This process provides a mechanism for beamlines to meet user needs for prompt access to their facilities.

2.4.1 General Process

In awarding beam time, the BAC takes into consideration the following factors:

- Proposal reviews and ratings from PRPs.
- Beamline feasibility evaluations.
- Special considerations (in support of outreach goals or for exploratory work).
- Requested beamline(s).
- Likelihood of success.
- Demonstrated need for APS and beamline facilities.

The BAC determines which proposals will be allocated time, which beamline will receive each proposal, and the amount of time to be allocated to each proposal. If only one beamline is requested, the BAC must honor that request if at all possible. The BAC seeks a balance between adventurous, exploratory experiments and those with a clear expected result.

The BAC will also provide a waiting list of proposals, by beamline, so that if time becomes available (for example, through the cancellation of an awarded proposal), the next suitable proposal can be accommodated. If no suitable proposals are available, the CAT will be considered to have met its general user obligation for that cycle. Proposals on the waiting list are reconsidered in later review cycles.

2.4.2 Rapid Access

For rapid-access requests on new proposals submitted during a run cycle, the requested beamline evaluates the proposal immediately, in parallel with the normal peer review. If the beamline considers the proposed experiment acceptable and beam time is available, the experiment can be scheduled. However, the

PROCEDURE	Page 24 of 40
Procedure #:	3.1.101
Revision #:	0

proposal will continue through the normal review process, with the conclusions evaluated retrospectively. The BAC provides oversight of the rapid-access general user proposal process.

Submitted proposals requesting rapid access are considered on a continuing basis and are not subject to evaluation cycle deadlines. To permit timely access, the proposal is sent to the requested beamline at the same time it is sent to the reviewers. The beamline may choose to award beam time and schedule the user's visit before the review is completed. If so, the normal review process will still take place, with the conclusions evaluated retrospectively. The beamline provides a list of scheduled rapid-access proposals to the BAC (through the User Office).

2.4.3 Special Cases

For proposals requesting a beamline operated by a CAT that is classified as a national user facility, in general, 75% of the beam time is allocated directly by the CAT, from among the general user proposals requesting that beamline. The DOE-required 25% of the beam time is allocated by the BAC through the normal review process. The BAC considers only those proposals that the CAT has not already selected.

If issues arise for which no formal policy exists, the BAC will resolve these issues until a formal policy can be developed and approved.

2.5 Appeals

If a proposal is not awarded beam time, the APS User Office will notify the proposal spokesperson and explain why. The proposer may modify and resubmit the proposal or withdraw it. If the proposer has concerns about how the review process was administered, he or she may communicate these concerns in writing to the ALD/APS.

Appeals for denial of beam time for a beamline that is designated as a national user facility are heard jointly by the beamline and the BAC. Otherwise, the following appeals are heard by the ALD/APS:

- Denial of beam time for all beamlines except those designated as national user facilities.
- Damage to beamline-owned equipment.
- Beamline failure to perform/comply.
- User failure to perform/comply.
- Beamline requests to reduce general user beam time obligations.

PROCEDURE	Page 25 of 40
Procedure #:	3.1.101
Revision #:	0

3. APS Responsibilities

The APS provides the following support to the general user proposal process:

- Maintains a web-based system for proposal submission, tracking, and review.
- Maintains a beamline directory listing techniques and equipment available to general users.
- Maintains databases of reviewers and review panels.
- Arranges for peer review of proposals.
- Provides all administrative support for review meetings.
- Notifies users of decisions regarding allocation of beam time.

4. Beamline Responsibilities and Rights

4.1 Responsibilities

When a beamline or station is declared operational, it must provide the APS with a memo stating the instruments and techniques that will be available to general users and identifying any exceptions to this APS general user policy (e.g., the exclusion of general users conducting proprietary or classified research).

Any beamline made available to a general user will be equipped, and in proper working condition, to deliver photons having the radiation characteristics required for the generic class of experiments for which the beamline was approved. The beamline will also supply all equipment that was designated as available to general users when the beamline was declared operational, as well as provide the required amount of technical support.

The beamline will also permit the general user to use existing sector laboratory facilities in the Laboratory Office Module for tasks that cannot reasonably be done off-site.

The host beamline will provide each general user with the technical training required to use the beamline and any ancillary equipment to which the general user has been granted access. If a general user requests the use of individually owned equipment not officially designated for general user use, the beamline may refuse the request or, at its discretion, require the general user to use it in collaboration with the owner of the equipment.

For CAT-owned beamlines, during scheduled general user access periods, the host beamline will give general users the same level of technical support that it provides to its members.

PROCEDURE	Page 26 of 40
Procedure #:	3.1.101
Revision #:	0

4.2 Rights

For general user proposals in which beamline staff members are not collaborating, the beamline may determine that costs associated with the proposed experiment are in excess of routine expenditures. In these cases, the beamline will advise the APS User Office, which will ensure that the general user has a funded operating cost code (User Account) in place to cover the supplies, materials, or services required by the general user. To cover routine costs incurred by general users at the APS, the APS will provide a cost code and spending authority limits.

A beamline may request in writing to the BAC that a specific general user not be granted time on that beamline. The written request must state the reasons for the exclusion of a particular general user. Appeals to the decision of the BAC to these requests will be decided by the ALD/APS. Requests for other exclusions to this policy (e.g., to exclude a particular category of general users) must also be made in writing to the ALD/APS, who will address each request individually.

5. General User Responsibilities and Rights

5.1 Responsibilities

All general users must complete appropriate training (at a minimum, all core APS user training requirements and sector-specific training) and have a valid User Agreement in place between the APS and the institution that sponsors the research. General users who damage equipment owned by a CAT or APS after receiving appropriate training in its use will be held liable for the damage, according to the provisions of their institutional user agreements. Each general user must also submit an Experiment Safety Assessment Form for each experiment to be conducted.

General users are required to submit full citations of all publications resulting from their work to the APS User Office for inclusion in the APS publications database and to provide this information to the host beamline. Failure to submit the required publication citations may result in denial of requests for beam time in subsequent proposals. When work performed at the APS by a general user is submitted for publication, the author must include appropriate acknowledgment of the APS and the beamline in the manuscript.

5.2 Rights

General users have the right to appeal denial of beam time as outlined under the Appeals section of these procedures.

PROCEDURE	Page 27 of 40
Procedure #:	3.1.101
Revision #:	0

Procedure for Establishing and Maintaining Nonproprietary APS User Accounts

(Formerly part of AP&P 3.1.23, APS document number APS_1186766)

Procedure

In the following steps, the term “User” may refer to a CAT member institution; to an APS User institution that is not a CAT member; or to an entire CAT if it has organized itself as a single financial entity. The APS User Account Specialist is

Deana Kinzler
Advanced Photon Source--Bldg. 401
Argonne National Laboratory
9700 South Cass Avenue
Argonne, IL 60439
Phone: (630) 252-1244
Fax: (630) 252-0353 or (630) 252-3222
E-mail: useracct@aps.anl.gov

1. An appropriate User representative contacts the APS User Account Specialist at the above address. The User representative provides whatever information is relevant to setting up the account(s), such as a list of the items to be procured, sources of funds, and scheduling requirements. If necessary, this information is used to develop a written plan. If the User intends to purchase APS standard components, the components and quantities are identified in the plan. The plan, copies of which are distributed to all parties, serves as a framework for implementation of the steps listed below.
2. The User submits a Purchase Order (PO) to Argonne National Laboratory (ANL) in care of the APS User Account Specialist. The PO must include the following information:
 - A statement that the purpose of the PO is to establish an APS User Account for the [name of institution] participants in the [name of CAT, if applicable].
 - The category of purchases covered by the PO. A given PO may cover only one of the following three categories: (1) construction activities; (2) materials, supplies, and services; or (3) capital equipment. (At the discretion of the User, the PO may include a detailed description of the desired items or services.)
 - The starting and expiration date of the PO, with options to extend the term of the PO, if applicable.

PROCEDURE	Page 28 of 40
Procedure #:	3.1.101
Revision #:	0

- The name of the “Account Contact” to whom account information should be reported.
 - The addressee for ANL invoices, if different from the Account Contact.
 - A list of individuals authorized to sign requests for equipment, materials, etc., under the PO. (Note: signatures of authorized individuals will be honored up to the dollar limit of the PO)
 - The estimated value of the PO, based upon the User’s expectations of the total value of the items and/or services to be purchased during the term of the PO, including applicable overhead charges. Information on provisional overhead rates is available from the APS User Account Specialist.
3. If the PO is for construction activities or capital equipment and the User is financing the PO with DOE funds, the User encloses appropriate documentation (e.g., a copy of the relevant DOE contract) with the PO to show that sufficient DOE funds are available to cover the purchase.
 4. The APS accepts the PO by sending the Purchasing Agent or Account Contact an “Acknowledgment of Purchase Order” for signature. Execution of the Acknowledgment activates the User Account and establishes the terms for its use. The Account Contact is informed of the procedures for charging purchases against the account, the provisional overhead rates that are currently in effect, and (if applicable) advance payment requirements. When advance payment is required, the User provides it by means of a check payable in U.S. dollars or electronic funds transfer
 5. The Account Contact promptly notifies the APS User Account Specialist in writing of any subsequent changes to the list of authorized signatures, and the APS modifies the Acknowledgment accordingly.
 6. Whenever ANL adjusts its provisional rates to actual rates, the User account will be charged or credited accordingly.
 7. In cases where advance payment is not required, ANL bills the User monthly, in accordance with ANL Accounts Receivable billing procedures; each bill is accompanied by an itemized report of the charges.
 8. The APS User Account Specialist monitors the account with respect to termination date, dollar ceiling, signature authority list, etc., and notifies the Account Contact one to three months before the expiration date of the PO, or when 80% of the authorized amount has been spent or committed.
 9. If the account limit is exceeded, ANL will close the account until the initiating PO is revised or a new PO is submitted.

Advanced Photon Source

PROCEDURE	Page 29 of 40
Procedure #:	3.1.101
Revision #:	0

10. Invoice payment terms are net 30 days. Payments must be made in U.S. dollars. ANL follows up on unpaid accounts every 30 days. Invoices unpaid after 30 days are assessed late charges, per DOE mandate. Late charges include interest, administrative costs for collection, and (if still unpaid after 120 days) penalties. In addition, if invoices are unpaid after 60 days, ANL work may be suspended until the delinquency is removed .

PROCEDURE	Page 30 of 40
Procedure #:	3.1.101
Revision #:	0

Procedure for Establishing and Maintaining Proprietary APS User Accounts

(Formerly part of AP&P 3.1.24 , APS document number APS_1186767)

Definitions

Proprietary work: Work done with the intention to designate the results as proprietary data.

Proprietary data [definition from Attachment A, paragraph 3(a)(2), of all APS Proprietary User Agreements]: Technical data which embody trade secrets developed at private expense, such as design procedures or techniques, chemical composition of materials, or manufacturing methods, processes, or treatments, including minor modifications thereof, provided that such data:

- are not generally known or available from other sources without obligation concerning their confidentiality;
- have not been made available by the owner to others without obligation concerning their confidentiality; and
- are not already available to the Government without obligation concerning their confidentiality.

Proprietary sample: A sample that is the subject of proprietary work.

Proprietary beam time: All time used by an APS user (defined as either an individual or a collaborating group) during which the following conditions apply:

- the APS is delivering user beam; and
- the user is using an APS experiment station for any activity (e.g., experimental set-up or data collection) that is a part of proprietary work.

Procedure

1. The User submits a Purchase Order to the APS User Account Specialist at the following address:

Deana Kinzler
Advanced Photon Source - Bldg. 401
Argonne National Laboratory
9700 South Cass Avenue
Argonne, IL 60439
Phone: (630) 252-1244
Fax: (630) 252-0353 or (630) 252-3222
E-mail: useracct@aps.anl.gov

PROCEDURE	Page 31 of 40
Procedure #:	3.1.101
Revision #:	0

The PO must include the following information:

- A statement that the purpose of the PO is to establish a Proprietary APS User Account.
 - The User's CAT affiliation, if applicable.
 - The starting and expiration date of the PO, with options to extend the term of the PO, if desired. Generally, the minimum initial term is three months, and the minimum extension is three months.
 - The name and address of the "Account Contact" to whom account information should be reported.
 - The addressee for ANL invoices, if different from the Account Contact.
 - A list of individuals authorized to request proprietary beam time and (if applicable) materials, supplies, and services.
 - The estimated value of the PO, based upon the User's expectations of the total amount of proprietary beam time to be used and, if applicable, the value of materials, supplies, and services, including provisional overhead charges, to be purchased, during the term of the PO. Information on the provisional full-cost-recovery rate for proprietary beam time and the provisional overhead rate on materials, supplies, and services is available from the APS User Account Specialist.
2. The APS accepts the PO by sending the Purchasing Agent or Account Contact an "Acknowledgment of Purchase Order" for signature. Execution of the Acknowledgment establishes the User Account and the terms for its use. The Account Contact is informed of the procedures for charging purchases against the account.
 3. The User provides advance payment by means of a check or electronic funds transfer payable to Argonne National Laboratory in U.S. dollars sufficient to cover a) all anticipated proprietary beam time if the term of the PO is three months or less, or b) three months of proprietary beam time if the term of the PO is greater than three months.
 4. Once payment is confirmed as received, authorization to initiate work will be provided.
 5. Refer to [User Policy and Procedure Identification of Proprietary Beam Time](#) for information relating to identification of proprietary beam time
 6. When the User uses proprietary beam time or (if applicable) purchases materials, supplies, and services, and the term of the PO is three months or less, the cost is applied to the cash advance. When the User uses proprietary beam time and the term of the PO is greater than three months, charges are invoiced on a monthly basis as incurred. The advance payment is held on deposit until User requests that the account be closed.
 7. The Account Contact promptly notifies the APS User Account Specialist in writing of any subsequent changes to the list of authorized signatures, and the APS modifies the Acknowledgment accordingly.

PROCEDURE	Page 32 of 40
Procedure #:	3.1.101
Revision #:	0

8. Whenever ANL adjusts its provisional rates to actual rates, the account will be charged or credited accordingly.
9. The APS User Account Specialist monitors the account with respect to expiration date, dollar ceiling, signature authority list, etc., and notifies the Account Contact generally three months before the expiration date of the PO or when the number of proprietary hours charged to the account is 80% of, or equal to, the number allowed on the PO, whichever occurs first.
10. Upon receiving notification of an impending expiration date, the User (a) provides a revised or new PO with a new expiration date; or (b) directs the APS User Account Specialist to close the account and refund the advance payment if no additional proprietary work is planned.
11. Upon receiving notification that the number of proprietary hours charged to the account is 80% of, or equal to, the number of hours provided on the PO, the User (a) provides a revised or new PO with an estimate of the additional number of proprietary hours to be used during the term of the PO, or (b) directs the APS User Account Specialist to close the account and refund the advance payment if no additional proprietary work is planned.
12. When User requests that the account be closed, any outstanding charges will be applied to the cash advance, and any remaining advance will be refunded.
13. Invoice payment terms are net 30 days. Payment must be made in U.S. dollars. ANL follows up on unpaid accounts every 30 days. Invoices unpaid after 30 days are assessed late charges, per DOE mandate. Late charges include interest, administrative costs for collection, and (if still unpaid after 120 days) penalties. In addition, if invoices are unpaid after 60 days, proprietary access may be suspended until the delinquency is removed.
14. If the account limit is exceeded or the expiration date passes and the User has provided no instructions to the contrary, ANL will close the account until the initiating PO is revised or a new PO is received from the User.

PROCEDURE	Page 33 of 40
Procedure #:	3.1.101
Revision #:	0

Procedure for Identification of Proprietary Beam Time

(Formerly part of AP&P 3.1.02, APS document number APS_1001655)

Summary: This procedure describes how proprietary beam time use is tracked at the Advanced Photon Source.

Procedure

1 Introduction

1.1 Purpose

This procedure describes the steps in identification of proprietary beam time use at the APS.

1.2 Scope

This procedure describes how the APS will track proprietary beam time use.

This procedure does not:

- define the terms and conditions for the rights to proprietary data,
- describe the process for paying for proprietary beam time.

1.3 Applicability

This procedure applies to all beam time used to collect proprietary data at the APS.

2 Prerequisite Actions

Prior to the start of proprietary experiments at the APS, the experimenter must establish a prefunded Proprietary User Account according to APS user policies and procedures.

3 Procedure

- 3.1 A General User declares beam time as proprietary or nonproprietary with the submission of their proposal. A Partner User declares the beam time as proprietary or nonproprietary with the submission of their Experiment Safety Assessment Form.
- 3.2 With the entry of the ESAF, the APS will request that the spokesperson for the experiment provide the cost code(s) for the account(s) that will fund the proprietary beam use. If the user account information is not

PROCEDURE	Page 34 of 40
Procedure #:	3.1.101
Revision #:	0

available at the time of the submission of the ESAF, the spokesperson is responsible for contacting the User Account Specialist (useracct@aps.anl.gov) with the account information prior to the start of the beam time. These accounts are prepaid.

- 3.3 At the start of an experiment, an experimenter uses the ESAF system to generate an EA form. The EA will be tagged in APS records as proprietary or nonproprietary. (Note: an EA for proprietary beam time may be posted for up to one week. If the experiment is to be continued beyond a week, a new EA must be completed and posted.)
- 3.4 When the experiment starts, at the request of the experimenter, the EA form will be posted at the beamline by the FC. The FC will record the start time and will update the APS beam-use database.
- 3.5 When the experiment is completed, at the request of the user, the EA form will be removed by a FC. The FC will record the end time on the EA and will update the beam-use database.
- 3.6 The APS forwards an e-mail notice of the recorded proprietary beam time to the User Account Specialist and a user spokesperson.
- 3.7 Unless an exception is sought, a user must certify that the recorded proprietary beam time is correct in an e-mail to the User Account Specialist.
- 3.8 If an experimenter seeks to correct the proprietary beam-use record, a spokesperson for the experiment will have two business days after the receipt of the e-mail record of proprietary beam time to e-mail the User Account Specialist (useracct@aps.anl.gov) requesting that the record be modified. The request should include the basis of the request (e.g., if the storage ring is down for an extended period of time while the EA was posted).
- 3.9 The User Account Specialist will charge the specified user account(s) for the beam time.

4 References

1. Policy and Procedure for Establishing and Maintaining Proprietary User Accounts, APS Policy and Procedure number 3.1.24.
2. APS standard proprietary User Agreements

5 Definitions

1. “Technical Data” means recorded information, regardless of form or characteristic, of a scientific or technical nature. It may include, for

PROCEDURE	Page 35 of 40
Procedure #:	3.1.101
Revision #:	0

example, document research, experimental, developmental, demonstration, or engineering work to be usable or used to define a design or process or to procure, produce, support, maintain, or operate material. The data may be graphic or pictorial delineations in media, such as drawings or photographs, text in specifications or related performance or design-type documents, or computer software (including computer programs, computer software databases, and computer software documentation). Examples of technical data include research and engineering data, engineering drawings and associated lists, specifications, standards, process sheets, manuals, technical reports, catalog item identification and related information. Technical data as used in this subpart does not include financial reports, cost analyses, and other information incidental to contract administration.

2. "Proprietary Data" means technical data that embody trade secrets developed at private expense, such as design procedures or techniques, chemical composition of materials, or manufacturing methods, processes, or treatments, including minor modifications thereof, provided that such data:
 - i. Are not generally known or available from other sources without obligation concerning their confidentiality;
 - ii. Have not been made available by the owner to others without obligation concerning their confidentiality; and
 - iii. Are not already available to the government without obligation concerning their confidentiality.

PROCEDURE	Page 36 of 40
Procedure #:	3.1.101
Revision #:	0

Evaluation of Beam Time Used for Proprietary, Classified, and Non-Academic-Non-Proprietary Research

(Formerly part of AP&P 3.1.12, APS document number APS_1186230)

Summary:

The results of most Advanced Photon Source based research are available for publication in the open literature. This policy defines the requirements for APS users to justify the value of the remaining proprietary, classified, or other unpublished research.

Background:

To ensure that the APS is optimally used to meet Department of Energy scientific and technological objectives, APS management must evaluate the impact of the work performed using APS facilities. APS research falls into the following categories:

- Non-proprietary work performed with the goal of publication in the open scientific literature,
- Proprietary or classified research, or
- Industrial nonproprietary research that may not be suitable for publication but is nonetheless important to the industry.

The publication record (deposited in the APS Publication Database) resulting from APS beam time will be the primary basis of evaluation for non-proprietary experiments, except for those falling in last category above.

Scope:

This policy addresses the information required for the evaluation of the impact of (1) proprietary or classified work or (2) unpublished industrial sponsored works in progress, or (3) nonproprietary industrial research that may not be suitable for publication. For research in all three categories, the APS requires annual documentation of the impact of this research.

Unpublished Work Impact/Justification

A written statement is to be provided to the APS Deputy ALD at the end of each fiscal year stating the general area for which the beam time was used and indicating in general terms the importance of the work. This written statement can be either a statement for each scheduled beam time or one statement from each research institution listing each of the scheduled beam times and providing as impact statement that covers them all.

Advanced Photon Source

PROCEDURE	Page 37 of 40
Procedure #:	3.1.101
Revision #:	0

The researchers are encouraged to provide additional information to justify the value of the APS to their research such as company testimonials or publicity addressing the values of the APS to the fulfillment of company goals (such as bringing new products to market or improving industrial processes), news reports that mention the APS, or letters from company/program senior managers attesting to the value research to the company/program goals.

Procedure for Reporting Publications to the APS

General Requirements

1. To be included in the database, a report of work must meet either criterion (a) or (b), AND criterion (c):
 - a. The paper must report on research carried out at the APS facility, regardless of author affiliation, even if the work was also conducted at another facility.
 - b. The paper must be authored or co-authored by an APS employee in the course of ANL-supported work, regardless of the topic or the locale of the research.
 - c. The report must be published in the open literature (including journals, conference proceedings, books, and book chapters) or as a Ph.D. or Masters dissertation. Preprints, posters, and submitted papers will not be included in the database. Meeting abstracts and invited talks are included in the database as ancillary records. Extended abstracts published as part of the official proceedings of meetings will be included (as proceedings articles).

Any paper not authored or co-authored by an APS employee and/or not specifically related to or arising from research at the APS will not be included in the database.

2. The following acknowledgment statement must be included in all published reports of work conducted at the APS:

“Use of the Advanced Photon Source was supported by the U. S. Department of Energy, Office of Science, Office of Basic Energy Sciences, under Contract No. DE-AC02-06CH11357.”

Appropriate acknowledgment of the resources provided by Collaborative Access Teams (CATs) and affiliated institutions, CAT staff, and funding agencies should also be included.

Procedure for APS users (non-APS employees)

- On a regular basis, users shall provide sector management with a copy of all published material that describes work conducted at beamlines operated by that specific sector.
- Sector management or their designees will accumulate copies of (or complete reference information about) published materials (see list below) monthly (or

PROCEDURE	Page 39 of 40
Procedure #:	3.1.101
Revision #:	0

more frequently, if desired) and either effect the entry of this data into the APS Publications Database or forward this information to the APS Scientific Information Services Office (SIS) (apsinfo@aps.anl.gov or Bldg. 401/A4115) for entry into the APS Publications Database. If the paper does not specifically identify the beamline(s) where the work was conducted, that information should be included, as well as noting if any general user beam time was employed in the research.

Published information in this instance means:

- Journal articles
- Conference proceedings articles
- Conference proceedings (if editor)
- Books (if author or editor)
- Book chapters
- Technical reports
- Dissertations
- Published patents
- Published abstracts
- Invited Talks
- Magazine article

Procedure for APS employees (including XOR members)

- Citations of papers authored or co-authored by an APS employee in the course of ANL-supported work will be entered into the database by APS divisional representatives or provided as complete information to SIS.

PROCEDURE	Page 40 of 40
Procedure #:	3.1.101
Revision #:	0

Visitors Site Access

People who will not be doing hands-on work (collaborators, students, family members), may gain site access as a visitor.

Responsibilities of a Visitor's Host

If you plan to have a visitor, you must notify the APS User Office in advance so that a gate pass can be arranged. You are responsible for ensuring that your visitor observes all necessary precautions. If your visitor will be performing services for you (e.g., installing or repairing equipment) in APS facilities, advance approval is required for the visit. Contact the User Office for details.

Argonne policy specifies that persons under the age of 18 are not permitted to enter any areas where there may be any electrical, chemical, physical, or radiological hazards. Accordingly, children are not permitted to visit in any buildings in the 400 area except the visitors' gallery of the experiment hall and the office and public areas of the central laboratory/office building and laboratory/office modules.